

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON (SEATTLE)**

PRODIGY FINANCE CM2017-1 DAC

Case No: 2:21-cv-01601

Petitioner,

v.

PENHA CRISTINA BRAGA MARTINS,

Respondent.

**DECLARATION OF NOEL  
YUMO IN SUPPORT OF  
MOTION FOR ENTRY OF  
DEFAULT AGAINST  
DEFENDANT PENHA CRISTINA  
BRAGA MARTINS**

COMES NOW, Noel Yumo, attorney of record for Prodigy Finance CM2017-1 DAC (hereafter "Plaintiff"), and provides the following declaration:

1. I am the attorney of record for Plaintiff in the above-captioned action.
2. The Petition to Confirm Foreign Arbitral Award and Summons were filed on November 30, 2021.
3. Defendant Penha Cristina Braga Martins (hereafter "Defendant") was personally served with Plaintiff's Petition, Summons, Civil Cover Sheet, Rule 7.1 Corporate Disclosure Statement, Order Regarding Discovery and Depositions and Declaration of Nicole de Rauville

Declaration in Support of  
Motion for Entry of Default

- 1

Wong Fleming  
9840 Willows Road NE, Suite 200  
Redmond, WA 98052  
Tel: 425.869.4040 Fax: 425-869-4050

1 on December 21, 2021. *See, a true and correct copy of the Declaration of Service, attached*  
2 *hereto as Exhibit A.*

3 4. An answer to the Complaint was due on January 11, 2022.

4 5. Defendant has failed to appear, plead or otherwise defend within the time  
5 allowed.

6 6. Defendant was not in military service and is not an infant or incompetent. *See, a*  
7 *true and correct copy of the Military Search, attached hereto as Exhibit B.*

8 7. Because Defendant has failed to file a responsive pleading or appear within 21  
9 days of service, Plaintiff is entitled to entry of default against Defendant.

10 8. Plaintiff requests that the Clerk of court enter default against Defendant.

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13 DATED this 13<sup>th</sup> day of January, 2022.

14  
15 Wong Fleming

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17 Noel Yumo, WSBA No. 30584  
18 Attorney for Plaintiff  
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# EXHIBIT A



IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

**Prodigy Finance CM2017-1 DAC**

Plaintiff/Petitioner

Cause No.: **2:21-cv-01601**

Hearing Date:

vs.

**Penha Cristina Braga Martins**

Defendant/Respondent

DECLARATION OF SERVICE OF

Summons; Petition; Civil Cover Sheet; Rule 7.1 Corporate Disclosure Statement; Order Regarding Discovery and Depositions; Declaration of Nicole de Rauville

The undersigned hereby declares: That s(he) is now and at all times herein mentioned was a citizen of the United States, a resident of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness

On the **21st day of December, 2021 at 8:31 PM** at the address of **3434 34th Ave W, Seattle, King County, WA 98199**; this declarant served the above described documents upon **PENHA CRISTINA BRAGA MARTINS** by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **PENHA CRISTINA BRAGA MARTINS, I delivered the documents to PENHA CRISTINA BRAGA MARTINS with identity confirmed by subject stating their name. The individual accepted service with direct delivery. The individual appeared to be a black-haired Middle Eastern female contact 35-45 years of age, 5'10"-6'0" tall and weighing 140-160 lbs with an accent..**

No information was provided or discovered that indicates that the subjects served are members of the United States military.

Service Fee Total: **\$62.00**

Declarant hereby states under penalty of perjury under the laws of the State of Washington that the statement above is true and correct.

Date: 12/21/2021



**Maurice Burum, Reg. # 1519255, King County, WA**

**ORIGINAL PROOF OF SERVICE**

PAGE 1 OF 1



For: **Wong, Fleming (Caley Dehkhoda)**

Ref #: **Prodigy Finance v. Martin**

Tracking #: **0080906956**



# EXHIBIT B





## Status Report Pursuant to Servicemembers Civil Relief Act

SSN: XXX-XX-2873  
 Birth Date:  
 Last Name: MARTINS  
 First Name:  
 Middle Name:  
 Status As Of: Jan-10-2022  
 Certificate ID: 9S32JLBCKKD5DGL

| On Active Duty On Active Duty Status Date   |                      |        |                   |
|---|----------------------|--------|-------------------|
| Active Duty Start Date  | Active Duty End Date | Status | Service Component |
| NA  | NA                   | No     | NA                |
| This response reflects the individuals' active duty status based on the Active Duty Status Date |                      |        |                   |

| Left Active Duty Within 367 Days of Active Duty Status Date   |                      |        |                   |
|---|----------------------|--------|-------------------|
| Active Duty Start Date  | Active Duty End Date | Status | Service Component |
| NA  | NA                   | No     | NA                |
| This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date |                      |        |                   |

| The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date                   |                             |        |                   |
|---|-----------------------------|--------|-------------------|
| Order Notification Start Date   | Order Notification End Date | Status | Service Component |
| NA  | NA                          | No     | NA                |
| This response reflects whether the individual or his/her unit has received early notification to report for active duty |                             |        |                   |

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Michael V. Sorrento, Director  
 Department of Defense - Manpower Data Center  
 400 Gigling Rd.  
 Seaside, CA 93955

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#/faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

## More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

## Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

**WARNING:** This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.